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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10   JUSTIN E. LEWIS,

11   Plaintiff,

12   v.

13   CRAIG FERGUSON,

14   Defendant.

CASE NO. 3:19-cv-05108-BHS-JRC

ORDER TO FILE ANSWER TO
AMENDED COMPLAINT

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16   The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States

17   Magistrate Judge J. Richard Creatura. *See* Dkt. 8.

18   On April 27, 2020, the Court entered an order granting defendant Ferguson's motion to

19   dismiss (Dkt. 31) and dismissing plaintiff's amended complaint. *See* Dkts. 30, 39. Specifically,

20   the Court dismissed with prejudice plaintiff's claim that defendant Ferguson violated plaintiff's

21   First Amendment rights. *See* Dkt. 39. Additionally, the Court dismissed without prejudice

22   plaintiff's claim that defendant Ferguson used excessive force against him in violation of his

23   constitutional rights. *See id.* The Court granted plaintiff leave to file an amended complaint no

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1   later than June 23, 2020, to allege claims against defendant Ferguson for excessive use of force.

2   *See id.* On July 7, 2020, the Court extended the deadline for plaintiff to file an amended

3   complaint to August 6, 2020. *See* Dkt. 42.

4   On July 27, 2020, plaintiff filed a second amended complaint. *See* Dkt. 43. Pursuant to

5   28 U.S.C. § 1915(e), the Court has screened the second amended complaint (Dkt. 43) and has

6   determined that the complaint should be served.

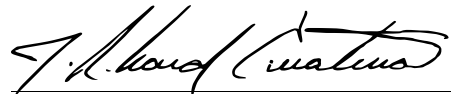7   Accordingly, the Court ORDERS:

8   (1)   The Clerk is directed to file the Response to the Order to Show Cause (Dkt. 43) as

9   the second amended complaint.

10   (2)   Defendant Ferguson shall file an answer or otherwise respond to plaintiff's

11   second amended complaint on or before **September 21, 2020**.

12   (3)   The Clerk shall send a copy of this Order to plaintiff.

13   Dated this 31st day of August, 2020.

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16   _____

17   J. Richard Creatura
         United States Magistrate Judge

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ORDER TO FILE ANSWER TO AMENDED
COMPLAINT - 2